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U.S. DISTRICT COURT E.D.N.Y.

★ NOV 13 2017 ★

LONG ISLAND OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

Winthrop University
Hospital
Bonnie S. Claiborne

(Write the full name of each plaintiff who is filing
this complaint. If the names of all the plaintiffs
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)

-against-

Winthrop University
Hospital

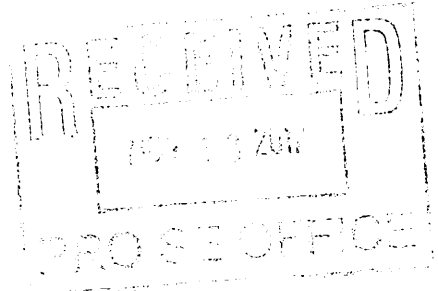
(Write the full name of each defendant who is
being sued. If the names of all the defendants
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)

**Complaint for Employment
Discrimination**

Case No. **CV 17 6692**
(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

**BIANCO, J.
BROWN, M. J.**



[Handwritten scribbles]

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address

Bonnie S. Claiborne
28 Davis St
Roosevelt
NY 11575
516-974-3353
bClaiborne52@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name
Job or Title
(if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address
(if known)

Winthrop University Hospital
259 1st St
Mineola
NY
516-6632675?

Defendant No. 2

Name
Job or Title
(if known)
Street Address
City and County

State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Other federal law (specify the federal law):

- ☐ Relevant state law (specify, if known):
7 FMLA
- ☐ Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes (check all that apply):

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☒ Retaliation.

☐ Other acts (specify): Human Resource failed to protect me
my Rights of Religion, Hostile work environment
(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
March 22,
2008, 2014, 2015, 2016

C. I believe that defendant(s) (check one):

- ☒ is/are still committing these acts against me.
☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

- ☐ race _____
☐ color _____
☐ gender/sex _____
☒ religion _____
☐ national origin _____
☒ age. My year of birth is 1952. (Give your year of birth only if you are asserting a claim of age discrimination.)
☒ disability or perceived disability (specify disability)
Left knee, back, Right + left thigh
Right knee pain

E. The facts of my case are as follows. Attach additional pages if needed.

There is a book for vac day but if you need a day or more for doctor you went to Cindy (O'Hara) manager. Right last time you could come in early or a witch day get a vac, personal, sick day or make up on these weekends just bring a note back doc or show test date. After a patient complained I made him go to the bathroom (he refused bed pain RN said take to bathroom) Denish Hadish said I must come to her only and if I called in I had to let them know if it was for my knee. That's when she really started to let me on my time some of it was that I was out for surgery and cancer treatments. (2008 cancer) So I brought her my note from the doctor. She would get me a day to change a day

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

Denise began to lecture me about my day and Refuse to let me switch day use vac time even personal I brought notes, ^{Hold} ^{Emly} Couple of time when she was out herself Cindy would do the switching or let me come in early. (My day off was Tues + Friday) but to get appointment so times was hard for Tuesday she my doc was off on Fri. Then Cindy got in trouble so I ask Denise what was I to do if the medication came in and I needed an she might be on vac. Rosann Callos knew about this several other just minor thing I said nothing then the evacuation come for Nicole Oliver I refused to sign when to Denise, (Eval said I didn't know how to hold on to the patient. I ask why she didn't tell me before when P.T. See me they don't say I was wrong RN, Nurse Aid. I did know what she was saying) ^{Whole} Denise Hodish told me that she also had seen me not Holding

on to patient I ask why didn't
 she ask some time there able to
 work (RN PT said they can). ~~Also~~
~~add~~ I just need to sign EV.
 I Refuse so she did another and
 as Grace Grosser to ask me to
 sign I refuse because I want to
 NR ~~that~~ Roseann C. Refused to
 give me a copy and dismissed
 me (consulted a lawyer get a
 copy) couldn't. I did go several
 times to HR, Nothing Especially
 when at that time I was
 also told not to say GOD.
 The Incident 11/15/15 I would never
 have gone to HR (Roseann Colada)
 what for except when talking with
 Janice Higgins I was to put
 my hand down. I talk with my
 hand. I got scared because little
 thing had been done like where were
 you (Barroway, Lunch) I told some
 one no find Supervisor off the
 floor meeting I worked 2 floors.

I felt like I was being harassed
I state that on a Eval.

my third meeting 5 people then
before I could explain I will
terminate you and no more
saying GOD can have a copy
no. I asked several times, if you
take that paper your terminated
what so I did I did get unemployed
I fought for it. This is late
I wasn't going to I did understand
the EEOC they had a chance to
answer why did I. But
my children, Grand children, we
work and try to obey the law
too. I still have a knee problem
when I feel down what can I
say I did my job even in pain
and harassment embarrassment.

Bonnie D. Carter

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

March 2016

- B. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Notice of Right to Sue letter.

☒ issued a Notice of Right to Sue letter, which I received on (date)

mailed Aug 29, 2017 about Sept 1, 2017

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☒ 60 days or more have elapsed.

☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

My Silec cleared of the wrongful charges
my pension restored by them to my rightful
Retirement a full payment of back wages, medical
+ life Insure to Retirement a grand total of \$200,000.00
200,000.00 that should come all,

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: ~~NOV 10, 2017~~ NOV 13, 2017 *BJC*

Signature of Plaintiff

Bonnie S. Claiborne

Printed Name of Plaintiff

Bonnie S. Claiborne